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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,460	04/02/2001	David Perry Greene	YOR920010189US1	9516
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DUKE. W. YEE YEE & ASSOCIATES, P.C. P.O. BOX 802333 DALLAS, TX 75380			SIDDIQI, MOHAMMAD A	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/824,460

Applicant(s)

GREENE ET AL.

Examiner

Mohammad A. Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-18,20-30,32,34-36,38-53,55-63,65-80 and 82-89 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-18,20-30,32,34-36,38-53,55-63,65-80 and 82-89 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-89 are presented for examination. Claims 2, 19, 31, 33, 37, 54, 64, and 81 have been cancelled. Claims 1, 3-18, 20-30, 32, 34-36, 38-53, 55-63, 65-80, and 82-89 are pending in this application.

2. Applicant's arguments, filed 08/26/2004, with respect to restriction have been fully considered and are persuasive. Applicant clarification of recited word "parsing" in independent claims 13, 32, 48, and 75 means satisfying a request for cookie file for a particular user. Applicant also clarifies the recited features of claims 19, 33, 54, and 81 means using cookies to access websites.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1, 3-15, 20-26, 29, 30, 32, 34-36, 38-50, 55-56, 59-63, 65-77, 82-83 and 86-89 are rejected under 35 U.S.C. 102(e) as being anticipated by Lund et al. (6,760,758) (hereinafter Lund).

5. As per claim 1, Lund discloses a method in a data processing system for managing cookies, the method comprising:

responsive to a selected event (marked previously, col 6, lines 1-14), requesting a cookie (col 2, line 1) file from a source (place holder, col 6, lines 1-14), wherein the cookie (col 2, line 1) file contains a set of cookies of previously obtained cookies and is associated with a user (col 6, lines 1-4); and

receiving the cookie file (84, fig 2, col 2, line 1 and col 6, lines 1-4, and col 2, line 3-7, browser may be configured with ability to accept a cookie, definition of the cookie states that browser receives cookies), wherein the cookies are to access Web sites (user may access the internet from the browser, col 2, lines 3-9 and col 6, lines 1-14);

updating the cookie file during a browser session to form an updated cookie file (col 8, lines 26-35, user can fill part of the form using one device and can fill the rest of the information using different device, any skilled person in the art can infer that cookies are updated during the session, examiner would like to refer definition of the cookies as stated above) ; and

responsive to a second selected event, sending the updated cookie file to a source (col 6, lines 1-5 and lines 40-48 and col 8, lines 26-35, user can fill part of the form using one device and can fill the rest of the information using different device, any skilled person in the art can infer that via cookie the information is accessed on the second device by reading the reference in entirety).

6. As per claim 3, Lund discloses wherein the source is at least one of a server, a desktop computer, a personal digital assistant, and a mobile phone (24, 62, 50, fig 1).

7. As per claim 4, Lund discloses the selected event is one of a beginning of a browser session or a particular user input (marking information for retrieval, col 6, lines 40-44).

8. As per claim 5, Lund discloses the first selected event is a beginning of the browser session and the second selected event is a termination of the browser session (moving from device to device, col 8, lines 26-37).

9. As per claim 6, Lund discloses wherein the selected event is a requirement of a cookie to access a Web site (col 7, lines 61-65).
10. As per claim 7, Lund discloses wherein the cookie file includes access information (col 8, lines 26-34).
11. As per claim 8, Lund discloses wherein the cookie file includes authorization data (col 8, lines 26-43).
12. As per claim 9, Lund discloses selectively modifying data within the cookie file for use with the data processing system (col 8, lines 14-25).
13. As per claim 10, Lund discloses the data processing system is one of a laptop computer, a personal digital assistant, a mobile phone, or a smart card (switch device to device, col 8, lines 19-26).
14. As per claim 11, Lund discloses the cookie file is received using a wireless communications link (col 7, lines 60-66 and col 4, lines 1-4).
15. As per claim 12, Lund discloses wherein the cookie file includes information on at least one of sales transactions, user preferences, a history

of Web sites visited by a user (col 8, lines 19-26).

16. As per claim 13, Lund discloses receiving a request for a cookie file (col, lines 1-14 and col 2, line1); parsing the request to identify a user associated with the cookie file (col 7, lines 1-3); identifying a particular cookie file associated with the user (col 7, lines 1-15); and transmitting the particular cookie file to the user (col 7, lines 1-15).

17. As per claim 14, the claim is rejected for the same reasons as claim 2, above.

18. As per claim 15, Lund discloses wherein the user is identified by at least one of an Internet Protocol address and a user name in the request (col 7, lines 1-15).

19. As per claim 20, Lund discloses a data processing system comprising:
a state information repository (database, col 7, lines 61-64), wherein state information is maintained for users in the state information repository (Cookies may include information such as login or registration identification, user preferences, online "shopping cart" information, etc, col 7, lines 61-66);
and

a Web server, wherein the Web server monitors for requests for cookies from users and returns state information to the users when requests for state information are received (server may serve, col 7, lines 1-15).

20. As per claim 21, Lund discloses the state information includes at least one of a cookie, a browsing history, and a bookmark (col 8, lines 17-25).

21. As per claim 22, Lund discloses a method in a data processing system for managing state information, the method comprising: responsive to an event, requesting state information from a source (Cookies may include information such as login or registration identification, user preferences, online "shopping cart" information, etc, col 7, lines 61-66); receiving the state information; and using the state information to access data on a network data processing system (col 8, lines 15-26).

22. As per claim 23, Lund discloses altering the state information in response to accessing the network data processing system to form new state information; and sending the new state information to the source in response to a second event (repeated session, col 8, lines 26-44).

23. As per claim 24, the claim is rejected for the same reasons as claim 21, above.

24. As per claim 25, the claim is rejected for the same reasons as claim 22, above. In addition Lund discloses data within the state information files are used by the set of users to access information on other data processing systems (various web sites, col 8, lines 21-25); and

providing a user from the set of users access to a state information file associated with the user to access other data processing systems (various web sites, col 8, lines 19-25).

25. As per claim 26, Lund discloses selectively combining state information from state information files within the repository (col 7, lines 61-66) of state information files to form a new state information file (col 8, lines 19-43).

26. As per claim 29, Lund discloses receiving updated information to a state information file within the repository from a user (col 7, lines 61-66); and updating the state information file with the updated information (repeated session, col 8, lines 26-42).

27. As per claim 30, the claim is rejected for the same reasons as claim 21, above.

28. As per claim 32, the claim is rejected for the same reasons as claim 13, above.

29. As per claim 34, the claim is rejected for the same reasons as claims 31 and 25, above.

30. As per claim 35, the claim is rejected for the same reasons as claims 20 and 34, above.

31. As per claim 36, the claim is rejected for the same reasons as claim 1, above.

32. As per claim 38, the claim is rejected for the same reasons as claim 3, above.

33. As per claim 39, the claim is rejected for the same reasons as claim 4, above.

34. As per claim 40, the claim is rejected for the same reasons as claim 5, above.

35. As per claim 41, the claim is rejected for the same reasons as claim 6, above.

36. As per claim 42, the claim is rejected for the same reasons as claim 7, above.

37. As per claim 43, the claim is rejected for the same reasons as claim 8, above.

38. As per claim 44, the claim is rejected for the same reasons as claim 9, above.

39. As per claim 45, the claim is rejected for the same reasons as claim 10, above.

40. As per claim 46, the claim is rejected for the same reasons as claim 11, above.

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41. As per claim 47, the claim is rejected for the same reasons as claim 12, above.

42. As per claim 48, the claim is rejected for the same reasons as claim 13, above.

43. As per claim 49, the claim is rejected for the same reasons as claim 14, above.

44. As per claim 50, the claim is rejected for the same reasons as claim 15, above.

45. As per claim 55, the claim is rejected for the same reasons as claim 25, above.

46. As per claim 56, the claim is rejected for the same reasons as claim 26, above.

47. As per claim 59, the claim is rejected for the same reasons as claim 27, above.

48. As per claim 60, the claim is rejected for the same reasons as claim 22, above.

49. As per claim 61, the claim is rejected for the same reasons as claim 23, above.

50. As per claim 62, the claim is rejected for the same reasons as claim 21, above.

51. As per claim 63, the claim is rejected for the same reasons as claim 1, above.

52. As per claim 65, the claim is rejected for the same reasons as claim 3, above.

53. As per claim 66, the claim is rejected for the same reasons as claim 4, above.

54. As per claim 67, the claim is rejected for the same reasons as claim 5, above.

55. As per claim 68, the claim is rejected for the same reasons as claim 6, above.

56. As per claim 69, the claim is rejected for the same reasons as claim 7, above.

57. As per claim 70, the claim is rejected for the same reasons as claim 8, above.

58. As per claim 71, the claim is rejected for the same reasons as claim 9, above.

59. As per claim 72, the claim is rejected for the same reasons as claim 10, above.

60. As per claim 73, the claim is rejected for the same reasons as claim 11, above.

61. As per claim 74, the claim is rejected for the same reasons as claim 12, above.

62. As per claim 75, the claim is rejected for the same reasons as claim 13, above.

63. As per claim 76, the claim is rejected for the same reasons as claim 14, above.

64. As per claim 77, the claim is rejected for the same reasons as claim 15, above.

65. As per claim 82, the claim is rejected for the same reasons as claim 25, above.

66. As per claim 83, the claim is rejected for the same reasons as claim 26, above.

67. As per claim 86, the claim is rejected for the same reasons as claim 28, above.

68. As per claim 87, the claim is rejected for the same reasons as claim 22, above.

88. As per claim 88, the claim is rejected for the same reasons as claim 23, above.

69. As per claim 89, the claim is rejected for the same reasons as claim 21, above.

Claim Rejections - 35 USC § 103

70. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

71. Claims 16-18, 27, 28, 51-53, 57, 58, 78-80, 84, and 85 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lund et al. (6,760,758) (hereinafter Lund) in view of Gupta et al. (6,487,538) (hereinafter Gupta).

72. As per claims 16-18, 27, 52, 53, 57, 79, 80, and 84, Lund fails to disclose offering the new state information file for sale to a third party. However Gupta discloses offering the new state information file for sale to a third party (col 6, lines 32-40 and col 17 line 5). It would have been obvious

to one of ordinary skill in the art at the time of invention was made to combine Lund with Gupta. The motivation would have been selling user information and making lots of money.

73. As per claims 28, 51, 58, 78, and 85, Lund fails to disclose billing the set of users for providing access the repository. However Gupta discloses billing the set of users for providing access the repository (col 6, lines 32-40 and col 17 line 5). It would have been obvious to one of ordinary skill in the art at the time of invention was made to combine Lund with Gupta. The motivation would have been to have system to store user information and sell user information for fee to other businesses.

Response to Arguments

74. Applicant's arguments filed 03/01/2005 have been fully considered but they are not persuasive, therefore rejections to claims 1,3-18,20-30, 32, 34-36, 38-53,55-63,65-80, and 82-89 is maintained.

75. prior to responding to arguments, examiner would like to state the definition of cookie prior to answering arguments:

Computer Dictionary Online defines cookie as a packet of information sent by an HTTP server to a World-Wide Web browser and then sent back by the browser each time it accesses that server. Cookies can contain any arbitrary information the server chooses and are used to maintain state between otherwise stateless HTTP transactions. Typically this is used to authenticate or identify a registered user of a web site without requiring them to sign in again every time they access that site. Other uses are, e.g. maintaining a "shopping basket" of goods you have selected to purchase during a session at a site, site personalisation (presenting different pages to different users), tracking a particular user's access to a site.

Answers.com defines cookie as a small data file created by a Web server that is stored on your computer either temporarily for that session only or permanently on the hard disk (persistent cookie). Cookies provide a way for the Web site to identify users and keep track of their preferences.

Cookies Are Beneficial: Cookies are commonly used to "maintain the state" of the session as a user browses around on the site (see state). For example, if you filled out a form and decided to leave that for a moment to view another page, when you come back to that form, the data would still be there. Without cookies, the site would not know who you were.

Cookies contain a range of URLs (addresses) for which they are valid. When the Web browser or other HTTP application sends a request to a Web server

with those URLs again, it also sends along the related cookies. For example, if your user ID and password are stored in a cookie, it saves you from typing in the same information all over again when accessing that service the next time. By retaining user history, cookies allow the Web site to tailor the pages and create a custom experience for that individual. A quite a bit of personal data may reside in the cookie files in your computer. As a result, this storehouse of private information is sometimes the object of attack. The default settings in your Web browser typically allow "first-party" cookies that do not contain any personal information, but not "third-party" cookies. First-party cookies are ones that are created by the Web site you are visiting. Third-party cookies are created by a Web site other than the one you are currently visiting; for example, by a third-party advertiser on that site. The purpose of such cookies is usually to track your surfing habits, which is why third-party cookies are considered an invasion of privacy and riskier than first-party cookies. You can prevent all cookies from being stored in your computer, but that severely limits the Web surfing experience. To change settings, look for the cookie options in your browser in the Options or Preferences menu.

www.krollontrack.co.uk/legalresources/glossary.asp defines cookie as small data files written to a user's hard drive by a web server. These files

contain specific information that identifies users (eg, passwords and lists of pages visited).

76. In the remarks applicants argued that:

A. Lund does not disclose receiving a cookie file or even a place holder file, updating a received cookie file during the browse session, or sending the updated cookie file to a source.

B. Lund clearly does not teach receiving a request for a cookie file, parsing the request to identify a user associated with the cookie file, identifying a particular cookie file associated with the user.

C. Lund does not disclose a state information repository, state information is maintained for users in the state information repository

77. In response to applicant's argument A, examiner respectfully disagrees. Lund discloses receiving the cookie file (browser may be configured with ability to accept a cookie, col 2, line 3-7, definition of the cookie states that browser receives cookies), wherein the cookies are to access Web sites (user may access the internet from the browser, col 2, lines 3-9 and col 6, lines 1-14); updating the cookie file during a browser

session to form an updated cookie file (col 8, lines 26-35, user can fill part of the form using one device and can fill the rest of the information using different device, any skilled person in the art can infer that cookies are updated during the session, examiner would like to refer definition of the cookies as stated above); and responsive to a second selected event, sending the updated cookie file to a source (col 6, lines 1-5 and lines 40-48 and col 8, lines 26-35, user can fill part of the form using one device and can fill the rest of the information using different device, any skilled person in the art can infer that via cookie the information is accessed on the second device by reading the reference in entirety, examiner would like to refer definition of the cookies as stated above).

78. In response to applicant's argument B, examiner respectfully disagrees. Lund discloses As per claim 13, Lund discloses receiving a request for a cookie file (col, lines 1-14 and col 2, line1); parsing (applicant clarified the scope of parsing of recited word "parsing" in independent claims 13, 32, 48, and 75 means satisfying a request for cookie file for a particular user, in response filed on 08/26/2004) the request to identify a user associated with the cookie file (it is the feature of the cookie technology, col 7, lines 1-3); identifying a particular cookie file associated with the user (it is the feature

of the cookie technology, col 7, lines 1-15); and transmitting the particular cookie file to the user (col 7, lines 1-15, browser may be configured with ability to accept a cookie, col 2, line 3-7, definition of the cookie states that browser receives cookies, is receiving cookie file is applicant's invention ?).

79. In response to applicant Argument C, examiner respectfully disagrees. Lund discloses a state information repository (database, col 7, lines 61-64), wherein state (cookie, by definition of cookie as stated above) information is maintained for users in the state information repository (please read the cookie definition sated above, cookies may include information such as login or registration identification, user preferences, online "shopping cart" information, etc, col 7, lines 61-66).

Conclusion

80. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action

and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A. Siddiqi whose telephone number is (571) 272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS



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